

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of **\$937.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs**1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$3,000.00. The Attorney has received **\$1,200.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.

☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations ("DSO")

a. ☒ None

b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.

d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
-NONE-	

IV. Secured Claims**1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
CitiMtg, Inc.	House and lot used as residence (tax value about \$63,000)	R	N	\$555.00	\$6,500.00	

2. Personal Property Secured Claimsa. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Santander Consumer USA	2006 Ford Freestyle Van	\$9,000.00	N	\$3,050.00	\$490.00	\$176.66	5.25%

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 0 %.

VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

VIII. Special Provisions

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: June 2, 2011

/s/ William V. Bost

William V. Bost

Attorney for the Debtor

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Salisbury, NC 28144**

Telephone: **704-637-0312**

State Bar No. **6041**

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re:

Carlton Ellis
Brenda Peek Ellis

SS# xxx-xx-6893

SS# xxx-xx-8242

Debtor(s)

AMENDED
NOTICE TO CREDITORS
AND
PROPOSED PLAN

Case No. 11-50628

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Reid Wilcox
Clerk of Court
U.S. Bankruptcy Court
Middle District of North Carolina
P.O. Box 26100
Greensboro, NC 27402

Kathryn L. Bringle
Chapter 13 Trustee
Winston-Salem Division
Post Office Box 2115
Winston-Salem, NC 27102-2115

Black Expressions Book Club
c/o RJM Acq, LLC
575 Underhill Blvd, Ste 224
Syosset, NY 11791

BP
PO Box 15298
Wilmington, DE 19850-5298

CareCredit/GE Money Bank
PO Box 981127
El Paso, TX 79998-1127

CareOne
PO Box 6549
Columbia, MD 21045

Chase
PO Box 15298
Wilmington, DE 19850-5298

CitiMtg, Inc.
PO Box 7706
Springfield, OH 45501

CitiMtg, Inc.
PO Box 9438
Dept 0251
Gaithersburg, MD 20898-9438

Dell Computer/WEB Bank
PO Box 81577
Austin, TX 78708

Dell Preferred Account
PO Box 81585
Austin, TX 78708

First Premier Bank
PO Box 5147
Sioux Falls, SD 57117-5147

J Newton Cohen, Inc.
c/o Tek-Collect, Inc.
PO Box 26390
Columbus, OH 43226-0390

JC Penny
PO Box 981131
El Paso, TX 79998

Lowe's/GE Money Bank
Attn: Bankruptcy Dept
PO Box 103104
Roswell, GA 30076

Old Navy/GE Money Bank
Attn: Bankruptcy Dept
PO Box 103104
Roswell, GA 30076

RMB, Inc.
409 Bearden Park Circle
Knoxville, TN 37919

Rowan Collection Agency
PO Box 1907
Salisbury, NC 28145-1907

Rowan Family Physicians
650 Julian Rd
Salisbury, NC 28147

Rowan Regional Medical Center
612 Mocksville Ave
Salisbury, NC 28144

Santander Consumer USA
Attn: Bankruptcy Dept
PO Box 560284
Dallas, TX 75356-0284

Shapiro and Ingle, LLP
Attn: David W. Neill/Elizabeth B. Ells
10130 Perimeter Pkwy, Ste 400
Charlotte, NC 28216

Smith Debnam Narron Drake Saintsing
& Myers, LLP
PO Box 26268
Raleigh, NC 27611-6268

Stern & Associates
415 N Edgeworth St, Ste 210
Greensboro, NC 27401-2071

TJX Rewards
PO Box 15298
Wilmington, DE 19850-5298

Wal-Mart
PO Box 981064
El Paso, TX 79998

Date: June 2, 2011

/s/ William V. Bost
William V. Bost